

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

United States District Court

Southern District of Texas

ENTERED

February 15, 2018

David J. Bradley, Clerk

PAULO TREVINO,

§

Petitioner,

§

VS.

§

CIVIL NO. 2:16-CV-00024

WILLIAM STEPHENS, *et al*,

§

Respondents.

§

ORDER

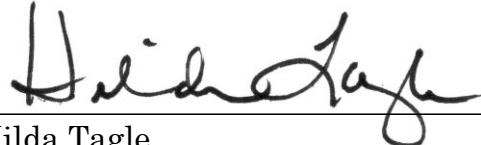
The Court is in receipt of Respondent's April 7, 2017, motion for summary judgment, Dkt. No. 30, and the July 10, 2017, Memorandum and Recommendations ("M&R") of the Magistrate Judge to whom this case was referred, Dkt. No. 32. On August 3, 2017, *pro se* Petitioner filed his "2nd Response to Memorandum and Recommendation,"¹ which the Court construes as objections to the M&R. Dkt. No. 33. The Court reviews objected-to portions of a Magistrate Judge's proposed findings and recommendations *de novo*. 28 U.S.C. § 636(b)(1). Plaintiff's objections are frivolous, conclusory, general, or contain no arguments that the M&R has not already considered. *See* Dkt. No. 33; *see also* *Battle v. United States Parole Comm'n*, 834 F.2d 419 (5th Cir. 1987) (determining that a district court need not consider frivolous, conclusive, or general objections). After independently reviewing the record and considering the applicable law, the Court adopts the proposed M&R in its entirety. Dkt. No. 32. Thus, the Court **OVERRULES** Plaintiff's objections.

The Court hereby:

- **GRANTS** Respondent's motion for summary judgment, Dkt. No. 30;
- **DISMISSES WITH PREJUDICE** this action; and
- **DENIES** Petitioner a Certificate of Appealability.

The Court will order entry of Final Judgment separately.

SIGNED this 15th day of February, 2018.



Hilda Tagle
Senior United States District Judge

¹ While Petitioner labels his filing, in part, as "2nd," the docket sheet shows that no other response to the July 10, 2017 M&R was filed.